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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

DON'T SHOOT PORTLAND, et al.

Plaintiffs

v.

CITY OF PORTLAND, a municipal corporation,

Defendant.

Case No. 3:20-cv- 00917-HZ

DECLARATION OF JUAN C. CHAVEZ IN  
SUPPORT OF PLAINTIFFS' MOTION FOR  
CLASS CERTIFICATION

I, Juan C. Chavez, declare as follows pursuant to 28 USC § 1746:

1. I am one of the counsels of record in the above titled case. I write this declaration in support of the Plaintiffs' Motion for Class Certification.
2. As required by FRCP 23(a)(4), this Declaration addresses the adequacy of counsel—particularly the adequacy of counsels from the non-profit firm Oregon Justice Resource Center. I ask that the court appoint the class representative Plaintiffs' counsels as counsel for the proposed

class.

3. Franz Bruggemeier, Alex Meggitt, Brittney Plessner and I are attorneys with the Oregon Justice Resource Center (“OJRC”), an Oregon non-profit. OJRC’s goal is to promote civil rights and improve legal representation for communities that have often been underserved in the past: people living in poverty and people of color among them. We work in collaboration with like-minded organizations to maximize our reach to serve underrepresented populations, to train future public interest lawyers, and to educate our community on issues related to civil rights and civil liberties.

4. The attorneys with OJRC are members of good standing with the Oregon State Bar.

5. I have been practicing law in Oregon since late 2013. I maintained a practice in Portland, OR as a sole practitioner until 2018 when I was hired as the project lead for OJRC’s nascent Civil Rights Project. Prior to joining OJRC, I primarily practiced federal civil rights law, as well as some state court practice. My practice focused on claims under 42 U.S.C. § 1983 against the Oregon Department of Corrections.

6. I steadily developed my practice and succeeded in complicated Eighth Amendment claims for my clients in cases like *Bond v. Shelton, et. al.*, 3:16-CV-0648-YY (D. Or. 2016) (judgment of \$300,000) and *Brower v. Franke, et. al.*, 2:17-cv-00367-AA (D. Or. 2017). I also brought successful claims against police officers and their departments in cases like *Gonzalez v. City of Portland, et. al.*, 3:13-cv-02221-PK (D. Or. 2013), *Bragg v. Skrah, et. al.*, 1:16-cv-01899-CL (D. Or. 2016), and *Kay, et. al. v. City of Beaverton, et. al.*, 3:17-cv-01079-SB (D. Or. 2017) for First, Fourth, and Fourteenth Amendment violations.

7. After joining OJRC, my practice extended to representation of *amicus* groups like the Mental Health Alliance in the long-standing federal case *U.S. v. City of Portland*, 3:12-cv-02265-SI (D. Or. 2012). In the latter case, I became deeply familiarized with issues concerning policing

in the City of Portland.

8. OJRC has successfully litigated First and Fourth Amendment cases such as *Johnson v. City of Portland, et. al.*, 3:19-cv-00735-SB (D. Or. 2019) (judgment of \$600,000) and *Jacobs v. City of Portland, et. al.*, 3:20-cv-01653-SB (D. Or. 2020), and multi-plaintiff cases such as *Adelman, et. al. v. City of Portland, et. al.*, 3:19-cv-02093-HZ (D. Or. 2019) and *Cantu, et. al. v. City of Portland, et. al.*, 3:19-cv-01606-SB (D. Or. 2019) (total judgments in latter case \$148,000; one plaintiff has not settled her claim and so the case remains on-going).

9. OJRC lawyers have also been appointed provisional class counsel in the Eighth Amendment case *Maney, et. al. v. Brown, et. al.*, 6:20-cv-00570-SB (D. Or. 2020), *see* Dkt. 178 p. 34, with David Sugerman, OSB 862984, of the Sugerman Dahab law firm and myself as co-lead counsels. In the latter case, plaintiffs successfully argued a temporary restraining order regarding a complicated matter of federal civil rights law and received an injunction on behalf of a class of approximately 13,000 incarcerated class members. The issue of certification for the *Maney* plaintiffs' Fed. R. Civ. P. 23(b)(3) class for monetary damages remains ongoing and will be before Honorable Magistrate Judge Beckerman for oral argument on February 14, 2022. In the process of preparing for that certification, OJRC became deeply familiarized with the practice of civil rights class actions.

10. To aid in the undertaking of the latter and present class actions, OJRC has hired additional staff—both attorneys and legal workers—and endeavored to reduce caseloads to accommodate these complex cases.

11. Having litigated cases before with Jesse Merrithew, Viktoria Lo, J. Ashlee Albies, Maya Rinta, Alex Meggitt, Franz Bruggemeier, and Brittney Plessner, and having now become familiar with working with Whitney Stark in the present case, and being aware of their abilities and backgrounds, I can confidently attest to their adequacy as counsels for the present case and am

frequently impressed by their commitment, intelligence, experience, and work ethic.

**I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.**

Executed on January 14, 2022.

/s/ Juan C. Chavez

Juan C. Chavez

Of Counsel for Plaintiffs